

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
MICHAEL RAKEMAN, BRIAN SCHIELE,
LUIS DELGADO, ROBERT TOLLIN,
WILLIAM McCUTCHAN, JOHN NELSON
FENRICH and KEVIN BLANEY,

Plaintiffs,

--against--

MLD MORTGAGE INC. and LAWRENCE DEAR,

Defendants.
-----X

**DECLARATION OF
RAYMOND NARDO, ESQ. IN
SUPPORT OF
DEFENDANTS' MOTION
FOR SUMMARY
JUDGMENT**

19-CV-4271 (LGS)

RAYMOND NARDO, declares under the penalties of perjury, pursuant to 28 U.S.C. §1746, as follows:

1. I am counsel for Defendants in the above action. The purpose of this Declaration is to identify the Exhibits annexed hereto. Attached as Exhibit A is a Declaration of David Zilberman.

2. Attached as Exhibit B are transcripts from the deposition of Plaintiff Rakeman.

3. Attached as Exhibit C are transcripts from the deposition of Plaintiff Tollin.

4. Attached as Exhibit D are transcripts from the deposition of Plaintiff Blaney.

5. Attached as Exhibit E are transcripts from the deposition of David Zilberman.

6. Attached as Exhibit F are the Outside Mortgage Loan Officer ("OMLO") agreements. Defendants could not locate the executed OMLO agreement for Robert Tollin.

7. Attached as Exhibit G are transcripts from the deposition of Plaintiff Delgado.

8. Attached as Exhibit H are transcripts from the deposition of Plaintiff Fenrich.

9. Attached as Exhibit I are transcripts from the deposition of Plaintiff Schiele.

10. Attached as Exhibit J are W-2's issued to Plaintiffs.

11. Attached as Exhibit K are a sample of timesheets that other employees completed for MLD.

12. Attached as Exhibit L are 1099's issued by Double Your Sales Marketing, Inc. (owned by Plaintiff Rakeman) and Brian G. Schiele Inc.

13. Attached as Exhibit M are the Notice of Pay Rate and Acknowledgement Forms issued to Plaintiffs.

WHEREFORE, Defendants ask that this Court dismiss the above matter.

Dated: Mineola, NY
December 6, 2019


Raymond Nardo, P.C.

RAYMOND NARDO, ESQ.

129 Third Street
Mineola, NY 11501
(516) 248-2121
raymondnardo@gmail
Counsel for Defendants

CERTIFICATE OF SERVICE

I certify that on December 6, 2019, I, Raymond Nardo, served by:

☐ mailed, first class

☐ return receipt requested

☐ overnite mailed

☐ faxed

XX email


☐ by ECF

the enclosed:

**DECLARATION OF RAYMOND NARDO, ESQ. IN SUPPORT OF DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT**

TO:

Justin Reilly, Esq.
Neil H. Greenberg & Associates, P.C.
4242 Merrick Road
Massapequa, NY 11758
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RAYMOND NARDO, ESQ.